

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

COMMUNITY FINANCIAL SERVICES
ASSOCIATION OF AMERICA, LTD., and
CONSUMER SERVICE ALLIANCE OF
TEXAS,

Plaintiffs,

v.

CONSUMER FINANCIAL PROTECTION
BUREAU and KATHLEEN KRANINGER,
in her official capacity as Director, Consumer
Financial Protection Bureau,

Defendants.

Civil Action No. 1:18-cv-295

JOINT MOTION FOR SCHEDULING ORDER

In accordance with the Court’s instructions provided during the telephone conference held on August 5, 2020, Plaintiffs Community Financial Services Association of America, Ltd., and Consumer Service Alliance of Texas, together with Defendants the Consumer Financial Protection Bureau and Kathleen Kraninger, in her official capacity as Director of the Bureau, (collectively, the “Parties”), jointly move for a scheduling order governing further proceedings in this case.

In the Joint Status Report filed on July 24, 2020, Defendants indicated that they wished to promptly file a motion to lift the stay of the compliance date for the 2017 Rule, on the ground that staying the compliance date is no longer warranted in light of recent developments. The parties understand, based on the August 5 telephone conference, that the Court would prefer instead to keep the status quo in place while the parties proceed expeditiously to final resolution

of this case on the merits. Following that conference, and in accordance with the Court's instructions, the parties conferred and now propose the following schedule to enable the Court to enter final judgment in this case promptly:

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| 8/28/20 | Deadline for Plaintiffs to file first amended complaint. |
| 9/4/20 | Deadline for Defendants to produce administrative record to Plaintiffs. |
| 9/18/20 | Deadline for Defendants to answer Plaintiffs' first amended complaint. |
| 9/25/20 | Deadline for Plaintiffs to file motion for summary judgment. This motion shall not exceed 35 pages. |
| 9/25/20 | Deadline for Plaintiffs to file any unopposed motion for leave to file a second amended complaint. ¹ |
| 10/23/20 | Deadline for Defendants to file combined cross-motion for summary judgment and opposition to Plaintiffs' motion for summary judgment. This filing shall not exceed 40 pages. |
| 10/23/20 | Deadline for Defendants to file answer to any second amended complaint. |
| 11/20/20 | Deadline for Plaintiffs to file combined reply in support of their motion for summary judgment and opposition to Defendants' cross-motion for summary judgment. This filing shall not exceed 30 pages. |
| 12/18/20 | Deadline for Defendants to file reply in support of their cross-motion for summary judgment. This filing shall not exceed 25 pages. |

¹ While Plaintiffs do not currently anticipate seeking leave to file an additional amended complaint, they recognize that their review of the administrative record could reveal new information that might justify additional amendments to the complaint. Defendants agree not to oppose Plaintiffs' filing an amended complaint based on any new information Plaintiffs learn after reviewing the administrative record, provided that Plaintiffs seek leave to file such an amended complaint by the deadline for Plaintiffs' motion for summary judgment.

Dated: August 12, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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